

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TIMOTHY LAWRENCE PRINCE,
Petitioner,
v.
KITSAP COUNTY,
Respondent.

Case No. C05-5493FDB

This 28 U.S.C. § 2241 petition for habeas corpus relief has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636 (b) and local Rules MJR 3 and 4. The respondent has served a motion in lieu of an answer and alleges the petitioner is no longer in custody and the claim is moot. Petitioner challenges the crediting of jail good time in this action. (Dkt. # 11)

Respondent provides a new address for petitioner as 2575 Lake Tahuyeh Road, Bremerton Wash. 98312. (Dkt. # 11). Respondent further indicates they have verified this address with the Department of Corrections. (Dkt. # 11).

The Petitioner has not changed the address on file with the court nor has he responded to the motion to dismiss. The court records still show petitioner residing at the Airway Heights Correction Center. The address in the court file is Timothy Lawrence Price DOC # 790854, AHCC, PO Box

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1 1839 Airway Heights Washington 99001. The motion to dismiss was not served on the address on
2 file for the petitioner. The courts dilemma is that the service of the motion does not match the
3 address on file. Respondent is hereby ordered to serve the motion to dismiss on the address on file
4 with the court and on the address where they believe petitioner to be residing. The motion to dismiss
5 should be re-noted for one month after service.

6 The clerk is directed to serve this order on petitioner at the address on file and the address
7 given by the respondent and on counsel for the respondent.

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10 DATED this 22nd day of February, 2006.

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Karen L. Strombom
United States Magistrate Judge

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